

From: Toma, Michael
Sent: Tuesday, February 28, 2017 2:16 PM
To: Rosenson, Valerie; Skigen, Randall
Subject: RE: Fracking

Valerie,

Please share this email with the Chair of the Committee. My thoughts on the proposed ordinance banning the storage, use, etc., of fracking waste are these: legally, Stamford can pass an ordinance now, as it would not be in conflict with state law, which also bans activities involving fracking waste. However, the ordinance is not necessary, because state law currently bans such activities.

It may not be wise to pass an ordinance now, as the State DEEP is scheduled to adopt regulations on the subject in the next year. It would most likely be very useful for Stamford to have the benefit of knowing what the State's regulations are on a subject on which the Board of Representatives has no specialized knowledge before it passes a local ordinance. Also, since state regulations will apply state-wide, they will affect Stamford, and potentially preempt any ordinance that Stamford may pass.

If the Board of Representatives wishes to pursue the idea of passing an ordinance, it should, at the very least, as a matter of sound policy, seek out the guidance of experts and consultants who are knowledgeable about the uses of fracking waste and of the risks associated with such use, in order to arrive at a well-informed determination whether a ban is in the best interests of the City.

Michael Toma

From: Rosenson, Valerie
Sent: Monday, February 27, 2017 2:00 PM
To: Skigen, Randall
Cc: Toma, Michael
Subject: Fracking

Randy –

There is a State statute on the books which basically provides for a moratorium on the use of any fracking waste in the State until DEEP adopts regulations, which must be submitted between July 1, 2017 to July 1, 2018. Below are links to the Statute and a summary of it prepared by the Office of Legislative Research.

<https://www.cga.ct.gov/2014/ACT/PA/2014PA-00200-R00SB-00237-PA.htm>

<https://www.cga.ct.gov/2015/rpt/pdf/2015-R-0178.pdf>

There is a proposed bill in the January Term to change the time after which the regulations must be submitted to 2027, which is in committee.

Valerie

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